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**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

EDWARD NORWOOD,

Plaintiff - Appellant,

v.

STANFORD UNIVERSITY; et al.,

Defendants - Appellees.

No. 05-15863

D.C. No. CV-03-02424-RMW

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Ronald M. Whyte, District Judge, Presiding

Submitted February 13, 2006^{**}

Before: GOODWIN, FERNANDEZ, and BYBEE, Circuit Judges.

Edward Norwood appeals pro se from the district court's summary judgment in favor of his former employer, Stanford University, on his claims of

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

discrimination and harassment on the basis of his race and disability.¹ We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo, *Porter v. California Dep't of Corrections*, 419 F.3d 885, 891 (9th Cir. 2005), and affirm.

Norwood's only argument on appeal is that his counsel failed to effectively oppose defendants' motion for summary judgment. In a civil action, a plaintiff has no right to counsel and, thus, has no right to effective counsel. *See Nicholson v. Rushen*, 767 F.2d 1426, 1427 (9th Cir. 1985) (per curiam). In "extraordinary circumstances" counsel's gross negligence may justify relief from judgment pursuant to Fed. R. Civ. P. 60(b)(6), *see Community Dental Serv. v. Tani*, 282 F.3d 1164, 1168 (9th Cir. 2002), but Norwood did not make a Rule 60(b)(6) motion before the district court, *see Doi v. Halekulani Corp.*, 276 F.3d 1131, 1140 (9th Cir. 2002).

AFFIRMED.

¹Norwood doesn't challenge the jury verdict in favor of defendants on his retaliation claim and his related claim for intentional infliction of emotional distress.